

BILL ANALYSIS

H.B. 2902
By: Thompson, Ed
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, certain municipalities have the authority to adopt rules for the proper management of a free municipal library, including providing for the recovery of unreturned library property and unpaid library fees and fines. Interested parties contend that, while certain law provides for the establishment and maintenance of county libraries, a county's ability to address the problem of unreturned library property and unpaid library fines is limited and they point to the Brazoria County libraries' use of credit agencies as their final recourse as an example of this limitation.

H.B. 2902 seeks to help counties recover library property and unpaid fees and fines.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2902 amends the Local Government Code to authorize the commissioners court of a county by order to establish reasonable fines to be collected by a county library for lost, damaged, or overdue library property and requires the fines to be deposited in the county free library fund. The bill authorizes the commissioners court by order to adopt reasonable regulations that prohibit a person from abusing library services by intentionally failing to pay a library fine or to return library property. The bill makes a person who violates such a regulation liable for a civil penalty of not more than \$100 for each violation and authorizes a county to bring suit in a district or county court to recover the penalty.

EFFECTIVE DATE

September 1, 2013.